

BOOK 33 42

Liber 701 page 203

Recorded March 31, 1964 at 2:00 P.M. NO. 23,874 EQUITY
EXHIBIT- DEED

THIS DEED, made this 31st day of March, 1964, by us, Robert Edward Wheeler and Connie Lee Wheeler, his wife.

WITNESSETH: That for and in consideration of the sum of \$10.00, and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the said Robert Edward Wheeler and Connie Lee Wheeler, his wife, do hereby grant and convey unto Robert Nelson Tobby and Connie Jean Tobby, his wife, as tenants by the entireties, all that lot or parcel of land situate lying and being in Frederick District, Frederick County, Maryland, and being known and designated as Lot No. 19 on the Plat of the property of Howard B Smith and Ruth N Smith, his wife, recorded in Plat Book No. 3, folio 110, one of the Land Records for Frederick County, said lot fronting for a distance of 100 feet on the east side of the public street known as Smith Drive, and running back an even width for a depth of 200 feet.

BEING the same real estate which was conveyed unto the Grantors herein by Charles Franklin Ford and Mary Jane Ford, his wife, by deed dated the 23rd day of December, 1958, and recorded in Liber 613, folio 256, one of the Land Records for Frederick County, Maryland.

To which said deed and plat, and the references therein contained, reference is hereby made for a more particular description of the real estate intended to be conveyed by these presents.

TO HAVE AND TO HOLD the above-described real estate unto the said Robert Nelson Tobby and Connie Jean Tobby, his wife, their heirs and assigns in fee simple, forever, TOGETHER WITH all rights, ways, roads, waters, privileges and appurtenances thereunto belonging or in anywise appertaining; SUBJECT, however, to the following covenants, conditions and restrictions which the grantees herein, for themselves, their heirs and assigns, by the acceptance of this deed, agree to observe and keep:

1. That the front building line of any dwelling or garage erected upon the lot herein conveyed shall be no nearer than fifty (50) feet to the east line of Smith Drive.
2. That no more than one detached dwelling house shall be erected upon said lot, and said dwelling shall cost not less than \$10,000.00.
3. That no business of any kind shall be conducted upon the lot herein conveyed.

B EXHIBIT B

Filed June 28, 1972